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Security Council

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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Uganda

1. At its 22nd meeting, on 12 October 2009, the Working Group in Children and Armed Conflict examined the report of the Secretary-General on children and armed conflict in Uganda (S/2009/462), which was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. The Deputy Permanent Representative of Uganda to the United Nations participated in the subsequent discussion.

2. The main elements of the exchange of views among the members of the Working Group were as follows:

(a) They welcomed the report of the Secretary-General in accordance with Security Council resolution 1612 (2005), and the analysis and recommendations contained therein met with a generally favourable response;

(b) They welcomed the progress made by the Government of Uganda in ensuring effective protection of children affected by armed conflict, in particular through the implementation of an action plan and the follow-up to recommendations made by the Security Council Working Group in respect of children and armed conflict issues in Uganda (S/AC.51/2008/13 and S/AC.51/2007/12);

(c) Reference was also made to the possibility of a visit to Uganda by the Working Group to follow up on progress made in the protection of children.

3. The Deputy Permanent Representative of Uganda informed the Working Group that no Lord's Resistance Army (LRA) activity had occurred on Ugandan territory since the signing of the Agreement on Cessation of Hostilities in August 2006. He added that to continue reporting on LRA under the title of "situation of children and armed conflict in Uganda" failed to capture the true regional dimension of LRA activities. He proposed that following the de-listing of the Uganda People's Defense Forces, future reports of the Secretary-General on the situation of LRA and children in armed conflict should reflect the regional character of LRA. He requested the Secretary-General to explore ways and means of reflecting that reality in his subsequent reports. Furthermore, he recalled that his Government had taken positive steps in the implementation of Security Council resolutions 1612 (2005) and 1882 (2009).

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4. Further to the meeting and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions 1612 (2005) and 1882 (2009), the Working Group agreed to the following direct action.

Public statement by the Chair of the Working Group

5. The Working Group agreed to address a message to the head of LRA through a public statement by its Chair on behalf of the Working Group delivered by the Office of the Special Representative of the Secretary-General on Children and Armed Conflict, taking into account the mediation and contacts that had already taken place:

(a) *Strongly condemning* all violations and abuses committed against children by LRA in contravention of applicable international law involving, inter alia, the recruitment and use of child soldiers, killing and maiming, rape and other sexual violence and abductions in Uganda, southern Sudan, the Democratic Republic of the Congo and the Central African Republic;

(b) *Recalling* the obligations LRA undertook when it signed the Agreement on Disarmament, Demobilization and Reintegration in February 2008, and urging armed forces and armed groups that recruit and use children in contravention of applicable international law to end without delay such violations;

(c) *Recalling*, in particular, the commitment LRA undertook to ensure the earliest possible release and reintegration of pregnant and lactating women along with all children under 18 years of age into their communities and families;

(d) *Strongly urging* it:

(i) To engage with United Nations country teams in the region for the immediate release of all children remaining or newly born within the ranks of LRA, noting within that process the need for released infants and younger children not to be separated from their mothers, and for a list of their names and ages to be provided for complete verification, as called for in the Agreement on Disarmament, Demobilization and Reintegration of February 2008;

(ii) To end immediately rape and other sexual violence and killing and maiming of children;

(iii) To cease all abductions of and attacks on civilians, in particular children, in contravention of applicable international law;

(e) *Emphasizing* that the Working Group will closely monitor, through the reports of the Secretary-General on children and armed conflict, compliance with Security Council resolutions 1612 (2005) and 1882 (2009) by LRA, until there is complete release of children associated with it and no more patterns of rape and other sexual violence and killing and maiming of children.

Recommendation to the Security Council

Letter by the Chair of the Security Council Working Group on Children and Armed Conflict to the Government of Uganda transmitted by the President of the Security Council

(a) *Welcoming* the Government's continued cooperation with the United Nations in the protection of LRA-affected children as well as its increased cooperation in joint efforts with neighbouring countries to address the serious threat posed by LRA;

(b) *Inviting* it to develop, with the Governments of the Democratic Republic of the Congo, the Central African Republic and the Sudan, a regional strategy to address the violations and abuses committed against children by LRA, taking into account existing regional mechanisms, to facilitate appropriate reporting on violations committed against children and to address those violations;

(c) *Encouraging* it:

(i) To support, as appropriate, the establishment and implementation of a United Nations regional strategy to end the violations and abuses committed against children by LRA;

(ii) To continue taking all necessary measures to prioritize the protection of children affected by armed conflict, including in its military actions against LRA elements;

(iii) To continue ensuring that the specific needs of children, in particular girls, are taken into account in the process of reintegration of former child soldiers;

(iv) To continue ensuring child-friendly and gender-sensitive procedures in the implementation of transitional justice mechanisms, which should take into account the rights, best interests and special needs of children, including in the determination whether a child should participate in these proceedings;

(v) To continue implementing its commitments under the Paris Principles and Guidelines during the process of reintegrating children within their respective families.

Letter by the Chair of the Security Council Working Group on Children and Armed Conflict to the Governments of the Democratic Republic of the Congo, the Central African Republic and the Sudan transmitted by the President of the Security Council*

(a) *Welcoming* their increased cooperation in joint efforts to address the serious threat posed by LRA;

(b) *Expressing concern* about:

(i) The violations and abuses committed against children by LRA in southern Sudan, the Democratic Republic of the Congo and the Central African Republic in contravention of applicable international law involving, inter alia, recruitment and use of children, killing and maiming, rape and other sexual violence and abductions;

(ii) The security situation that has hampered humanitarian access to many areas of the Haut-Uélé, Bas-Uélé and Ango districts in the Democratic Republic of the Congo;

(iii) The many communities on both sides of the Democratic Republic of the Congo-Sudan border that have set up civilian defense groups as a direct consequence of the increased insecurity caused by the LRA presence in the Democratic Republic of the Congo;

* Requesting it to officially transmit the letter to the Government of southern Sudan.

(c) *Inviting* them to develop a regional strategy to address the violations and abuses committed against children by LRA, taking into account existing regional mechanisms, to facilitate appropriate reporting on violations committed against children and to address those violations;

(d) *Encouraging* them:

(i) To support, as appropriate, the establishment and implementation of a United Nations regional strategy to end the violations and abuses committed against children by LRA;

(ii) To continue cooperating fully with the United Nations and to share information with the United Nations presences in the region in order to make every possible effort to ensure the protection of civilians, in particular children and women;

(iii) To ensure that all actions are carried out in accordance with applicable international law, including international humanitarian, human rights and refugee law, and to take appropriate measures to protect civilians, in particular children and women;

(iv) To devise, in coordination with the Special Representative of the Secretary-General for Children and Armed Conflict and relevant actors on the ground, especially United Nations country-level task forces on monitoring and reporting, an advocacy and contact group to effect the immediate release of all children remaining within the ranks of LRA, taking into account the special needs of those children born within its ranks;

(e) *Urging* them to make every effort to pursue and bring to justice perpetrators of all violations and abuses committed against children in contravention of applicable international law and provide an adequate response, while also making every effort to protect child victims and witnesses of crime in line with the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, in order to put an end to impunity.

Letter by the Chair of the Security Council Working Group on Children and Armed Conflict to the Secretary-General transmitted by the President of the Security Council

(a) *Commending* the efforts undertaken by the Special Representative for Children and Armed Conflict, by the United Nations country teams in Uganda, the Democratic Republic of the Congo, the Central African Republic, and the Sudan, and particularly by UNICEF, to establish a United Nations regional strategy to contribute actively to the protection of children affected by LRA;

(b) *Requesting* him, as appropriate, to share with the Governments of the countries concerned such aspects of the United Nations regional strategy which may require direct engagement of national institutions and to inform the Security Council Working Group on Children and Armed Conflict about the establishment and implementation of this United Nations regional strategy;

(c) *Requesting* him to prepare a comprehensive report, to be issued in 2010, on the situation of children and armed conflict affected by LRA, with a special emphasis on cross-border issues.

Letter by the Chair of the Security Council Working Group on Children and Armed Conflict to the Security Council transmitted by the President of the Security Council

Recommending that the Security Council consider cross-border child protection concerns when reviewing the mandates of peacekeeping and political missions in the region given the significant cross-border implications of violations and abuses committed against children by LRA.

Direct action by the Working Group

6. The Working Group agreed to the following direct action. Since LRA continues to flout its obligations under applicable international law and relevant Security Council resolutions, including resolutions 1612 (2005) and 1882 (2009), further steps to protect children affected by LRA may be recommended by the Working Group to the Security Council.

Letter by the Chair of the Security Council Working Group on Children and Armed Conflict to the United Nations Task Forces on Monitoring and Reporting in Uganda, the Democratic Republic of the Congo, the Central African Republic and the Sudan

Encouraging them, in close cooperation with the United Nations missions in the Democratic Republic of the Congo, the Central African Republic and the United Nations Mission in the Sudan, to conclude their regional strategy on monitoring and reporting, and to begin to report in a more coordinated and comprehensive manner on LRA abuses across the region as a matter of priority.

Letter by the Chair of the Security Council Working Group to donors

(a) *Encouraging* them to provide funding to support the release, return and reintegration of children formerly associated with armed forces and groups into their respective families and communities, with due consideration to the long-term requirements of such programmes;

(b) *Drawing* their attention to the importance of educational and socio-economic reintegration, including poverty alleviation activities, in order to prevent the recruitment, re-recruitment and use of children in violation of applicable international law, by armed forces and groups, by providing those children with a viable alternative.